

**VENABLE LLP**

George Kostolampros\*  
600 Massachusetts Avenue NW  
Washington, DC 20001  
Tel.: (202) 344-4426  
GKostolampros@venable.com

Xochitl S. Strohbehn\*  
Michael A. Guerra (No. 089092013)  
151 West 42nd Street, 49th Floor  
New York, New York 10036  
Tel.: (212) 307-5500  
Xochitl.Strohbehn@venable.com  
MAGuerra@venable.com

Jonathan E. Perlman\*  
801 Brickell Ave, Suite 1500  
Miami, Florida 33131  
Tel.: (305) 349-2323  
JEPperlman@venable.com

**MCDONALD HOPKINS**

Christopher B. Hopkins\*\*  
Craig S. Distel\*\*  
Alaina B. Karsten\*\*  
501 S. Flagler Drive Suite 200  
West Palm Beach, Florida 33401  
Tel.: (561) 472-2121  
CHopkins@mcdonaldhopkins.com  
CDistel@mcdonaldhopkins.com  
AKarsten@mcdonaldhopkins.com

*Counsel to Defendants Automatic Data Processing, Inc. and ADP, Inc.*

**K&L GATES LLP**

Loly Garcia Tor  
One Newark Center  
Newark, New Jersey 07102  
Tel.: (973) 848-4000  
Loly.Tor@klgates.com

John W. Rotunno\*\*  
Matt A. Alvis\*\*  
70 West Madison Street, Suite 3300  
Chicago, Illinois 60602-4207  
Tel.: (312) 372-1121  
Fax: (312) 827-8000  
John.Rotunno@klgates.com  
Matt.Alvis@klgates.com

Stephen Topetzes\*\*  
1601 K Street NW  
Washington, DC 20006  
Tel.: (202) 778-9000  
Fax: (202) 778-9100  
Stephen.Topetzes@klgates.com

*Counsel for Defendant American Century Investment Services, Inc.*

\*Admitted *Pro Hac Vice*.

\*\*Motions for *Pro Hac Vice* admission forthcoming.

DALE YLITALO, individually and on behalf of all others similarly situated,

*Plaintiff,*

v.

AUTOMATIC DATA PROCESSING, INC., ADP, INC., and AMERICAN CENTURY INVESTMENT SERVICES, INC.,

*Defendants.*

Case No. 2:24-cv-07635-JKS-LDW

Hon. Jamel K. Semper, U.S.D.J.  
Hon. Leda Dunn Wettre, U.S.M.J.

Motion Return Date: September 3, 2024

**ORAL ARGUMENT REQUESTED**

**NOTICE OF MOTION FOR THE EXTENSION OF TIME  
TO RESPOND TO THE COMPLAINT AND TO SET A BRIEFING SCHEDULE**

**TO:** The Court, Clerk of Court, and All Counsel of Record

**PLEASE TAKE NOTICE THAT** on September 3, 2024, at 9 a.m., or at another date and time to be determined by the Court, Defendants Automatic Data Processing, Inc., ADP, Inc. and American Century Investment Services, Inc. (together, “Defendants”), by and through their undersigned counsel, shall move before the Honorable Jamel K. Semper, United States District Court, at the Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Court Room PO 03, Newark, New Jersey 07101, for an order (1) that extends the time for Defendants to answer, move, or otherwise respond to the Complaint until thirty days after a lead plaintiff and lead counsel are appointed in this action and, should the lead plaintiff file an amended complaint, setting the following schedule: (a) Defendants shall answer, move, or otherwise respond to the amended complaint on or before thirty days after the amended complaint is filed; (b) the designated lead plaintiff shall serve and file an opposition to any motion(s) to dismiss within thirty (30) days after such motion or motions are filed by Defendant(s); and (c) Defendants shall serve and file any reply in further support of any motion(s) to dismiss within twenty-one (21) days after the lead plaintiff files his or her opposition brief, and (2) for such other and further relief as the Court deems just and equitable.

**PLEASE TAKE FURTHER NOTICE** that, in support of their Motion, Defendants shall rely on its Brief in Support of Defendants’ Motion for the Extension of Time to Respond to Complaint and to Set a Briefing Schedule, dated August 8, 2024, the Declaration of Xochitl S. Strohbehn in Support of Defendants’ Motion for Extension of Time to Respond to Complaint and to Set Briefing Scheduled, dated August 8, 2024, and all exhibits thereto, the

Complaint and all exhibits thereto, and all other documents, papers, and submissions before this Court in this case.

**PLEASE TAKE FURTHER NOTICE** that also enclosed with this motion pursuant to Local Civil Rule 7.1(e) and the Court's Judicial Preferences is Defendants' proposed order extending their time to respond to the complaint.

Dated: August 8, 2024

**VENABLE LLP**

By: /s/ Michael A. Guerra

Michael A. Guerra (ID# 089092013)  
Xochitl S. Strohbehn\*  
151 West 42nd Street, 49th Floor  
New York, New York 10036  
Tel.: (212) 307-5500  
MAGuerra@venable.com  
Xochitl.Strohbehn@venable.com

George Kostolampros\*  
600 Massachusetts Avenue NW  
Washington, DC 20001  
Tel.: (202) 344-4426  
GKostolampros@venable.com

Jonathan Perlman\*  
801 Brickell Ave, Suite 1500  
Miami, Florida 33131  
Tel.: (305) 349-2323  
JEPPerlman@venable.com

**MCDONALD HOPKINS, LLC**  
Christopher B. Hopkins\*\*  
Craig S. Distel\*\*  
Alaina B. Karsten\*\*  
501 S. Flagler Drive Suite 200  
West Palm Beach, FL 33401  
Tel.: (561) 472-2121  
Fax: (561) 472-2122  
CHopkins@mcdonaldhopkins.com  
CDistel@mcdonaldhopkins.com  
AKarsten@mcdonaldhopkins.com

*Counsel for Defendants Automatic Data Processing, Inc. and ADP, Inc.*

**K&L GATES LLP**

By: /s/ Loly Garcia Tor

Loly Garcia Tor  
One Newark Center  
Newark, New Jersey 07102  
Tel.: (973) 848-4000  
Loly.Tor@klgates.com

John W. Rotunno\*\*  
Matt A. Alvis\*\*  
70 West Madison Street, Suite 3300  
Chicago, Illinois 60602-4207  
Tel.: (312) 372-1121  
Fax: (312) 827-8000  
John.Rotunno@klgates.com  
Matt.Alvis@klgates.com

Stephen Topetzes\*\*  
1601 K Street NW  
Washington, DC 20006  
Tel.: (202) 778-9000  
Fax: (202) 778-9100  
Stephen.Topetzes@klgates.com

*Counsel for Defendant American Century Investment Services, Inc*

\*Admitted *Pro Hac Vice*.

\*\*Motions for *Pro Hac Vice* admission forthcoming.

**LOCAL CIVIL RULE 11.2 CERTIFICATION**

Defendants, by their attorneys, hereby certify that, to the best of their knowledge, understanding, and belief, the matter in controversy in this lawsuit is not the subject of any other action pending in any other court, or of any pending arbitration or administrative proceeding.

We certify under penalty of perjury that the foregoing is true and correct to the best of our knowledge and understanding. Executed on August 8, 2024.

**K&L GATES LLP**

By: /s/ Loly Garcia Tor  
Loly Garcia Tor

**VENABLE LLP**

By: /s/ Michael A. Guerra  
Michael A. Guerra (No. 089092013)

**CERTIFICATE OF SERVICE**

I certify that on this day, August 8, 2024, I served the above document, the Notice of Motion for the Extension of Time to Respond to the Complaint and to Set a Briefing Schedule, dated August 8, 2024, on all appearance counsel via ECF filing.

Dated: August 8, 2024

**VENABLE LLP**

/s/ Michael A. Guerra  
Michael A. Guerra (No. 089092013)